

**EXHIBIT C TO THE JUNE 26, 2008
DECLARATION OF GREGORY I. RASIN, ESQ.**

ORIGINAL

1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
JANNIE PILGRIM, GIOVANNA HENSON,
JESAN SPENCER and BRENDA CURTIS,

Plaintiffs,

'07 CIV

-against-

6618

THE MCGRAW-HILL COMPANIES, INC.,
Defendant.

-----x

January 11, 2008

9:58 a.m.

Deposition of BRENDA CURTIS, held at
the offices of Proskauer Rose LLP, 1585
Broadway, New York, New York, pursuant to
Notice, before Mildred Cassese, a Registered
Professional Reporter and Notary Public of
the State of New York.

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1 **B. Curtis**

2 A. You know, I don't recall exactly when.
3 I really can't recall when.

4 Q. Have you now told me all the documents
5 that you reviewed in preparation for the
6 deposition?

7 A. I told you about the applications and
8 the three letters or memos, whatever they are, so
9 I'm clear on that.

10 And the interrogatories, so that's it.

11 Now, there are a lot of applications
12 so I didn't mention all of them, you know.

13 Q. You didn't mention them because you
14 don't remember them, correct?

15 A. Right, exactly.

16 Q. What's your highest level of
17 education?

18 A. My highest level is high school, but I
19 have some college.

20 Q. What high school did you go to?

21 A. South Shore.

22 Q. When did you graduate?

23 A. Actually, I got my GED.

24 Q. So when did you attend South Shore
25 High School?

1 **B. Curtis**

2 A. In '70 -- '70 -- in the '70s, late
3 '70s.

4 Q. And South Shore High School is in
5 Brooklyn, correct?

6 A. That's correct.

7 Q. Am I correct that you were not
8 graduated from South Shore High School?

9 A. No, I did not graduate from South
10 Shore High School. I got my GED.

11 Q. When did you get your GED?

12 A. In '77.

13 Q. And you said you attended college?

14 A. Yes.

15 Q. Which college?

16 A. New York City Technical College.

17 Q. Where is that?

18 A. That's 300 Jay Street, and that's in
19 Brooklyn.

20 Q. When did you attend there?

21 A. I attended there -- I attended, I want
22 to say was it '82 and '83?

23 Q. For how long did you attend?

24 A. Maybe for a year and a half or so,
25 '82, '83.

1 *B. Curtis*

2 Q. Did you get a degree?

3 A. No, I did not.

4 Q. What were you studying?

5 A. Executive secretarial sciences.

6 Q. Can you tell me your job history?

7 A. Starting from where?

8 Q. Starting from when you left high
9 school.

10 A. Oh, wow. I worked -- I believe I
11 worked at a car -- like a car cab company as a
12 receptionist first.

13 And then --

14 Q. Do you remember the years?

15 A. No, I don't remember that far back.

16 And then I worked probably for World
17 Com.

18 Q. Do you remember the years?

19 A. I think that was 1979 I started there,
20 1979, and they relocated to Leesburg, Virginia.

21 So what year was that? I don't
22 remember the year.

23 Q. Okay.

24 A. But, you know, it's on my resume but I
25 don't remember the year.

1 **B. Curtis**

2 A. Yes, yes, yes.

3 Q. Ms. Curtis, you claim that you were
4 discriminated against based upon your race by
5 McGraw-Hill; is that correct?

6 A. That's correct.

7 Q. And you also claim that you were
8 retaliated against by McGraw-Hill; is that
9 correct?

10 A. That's correct.

11 Q. Ms. Curtis, can you tell me all the
12 ways that you were discriminated against by
13 McGraw-Hill?

14 A. Okay.

15 Well, first I was singled out upon
16 hiring to manage out another black person.

17 And I was constantly being used as a
18 black person to watch other black people.

19 I complained about race discrimination
20 to my boss.

21 I complained about race discrimination
22 to HR.

23 And I also complained about race
24 discrimination to Maryann Gattinella.

25 After receiving -- well, actually

1 *B. Curtis*

2 My so-called elimination of job
3 because of a RIF, only to find out that somebody
4 was sitting in my seat the next day, someone who I
5 used to train.

6 Q. Have you now told me all the ways you
7 were discriminated against on the basis of your
8 race --

9 MR. SOLOTOFF: She's not finished.

10 Q. -- while you were at McGraw-Hill?

11 A. I'm not finished.

12 Vladimir Stadnyk created a hostile
13 work environment for me, and he did that by
14 speaking to different people, and I had one of
15 which came to me to let me know that he was
16 speaking about me in a negative light.

17 Nothing was ever done about any of my
18 complaints -- and that is with two -- that is to
19 Vlad and to HR, to Maryann Gattinella.

20 I heard Frank Cicotta make a statement
21 about the evaluations department being ghetto. He
22 was talking to a white colleague of his and I went
23 to Vlad because Peggy Bartolone wore jeans into
24 work when there was clearly a directive that says
25 no jeans.

1 *B. Curtis*

2 Q. What were her words?

3 A. Her words were we're targeting to get
4 her out. We need to get Lasina out. She's had
5 some performance issues. And she looked up in the
6 air and said, and she filed a race discrimination
7 charge against Peggy Bartolone.

8 So I said oh, I said wow, and she says
9 well, we have to look into it because you know
10 that's a serious charge.

11 So, you know, but she can't say that
12 now that you're here, so we'll see what happens.
13 And that's what she said to me.

14 Q. Gail Whelen?

15 A. Yes, Gail Whelen said this.

16 Q. What did Prema Menon say to you?

17 A. Prema Menon was given all this stuff
18 and, you know, basically Prema Menon was asking me
19 how do I feel about everything.

20 And I let her know that I was
21 uncomfortable because I told her that I came in
22 and I'm thinking that, you know, I got my job and
23 now I've got all this nasty stuff here, so she
24 said, well -- she is the one who actually helped
25 me to come up with, you know, let's start all over

1 **B. Curtis**

2 with Lasina, you know, because I said, you know, I
3 really would like to start from scratch because I
4 don't know what Peggy did to Lasina to make Lasina
5 want to file a race discrimination charge, I said,
6 I don't know, things can happen.

7 So I said this is clearly, you know,
8 it's -- it still exists, so I can't say that she
9 didn't experience it.

10 So she said well, why don't you go to
11 Vlad and ask him to start fresh with Lasina, so
12 that's what I did, and that was shut down because
13 they used her prior, all her prior stuff against
14 her.

15 Q. Didn't you testify before that Vlad
16 said you could start new with her?

17 A. No, no. I said that he said how are
18 you going to start fresh, you know, what happened,
19 happened.

20 He says you can start your managing
21 with her fresh, but you can't start fresh, and
22 that's what he explained to me.

23 Q. And did Joyce Hunsucker say to you I
24 want you to manage her out?

25 A. No. Joyce Hunsucker said, now, that's

1 **B. Curtis**

2 she's reporting to someone else --

3 A. Lower.

4 Q. She is the same grade?

5 A. She is the same grade, but --

6 **MR. SOLOTOFF:** Wait til the question
7 is asked.

8 **THE WITNESS:** Okay.

9 **MR. SOLOTOFF:** And only answer the
10 question.

11 Q. Made the same salary, correct?

12 A. Oh, I don't know what her salary is
13 now.

14 Q. You said that you suffered racial
15 discrimination because they lessened the
16 importance of your job or title?

17 A. Yes.

18 Q. How did they lessen the importance?

19 A. Vlad referred to me as his admin. I
20 had a dual role but my title was the office
21 manager.

22 He would never refer to me as the
23 office manager. And he did it so -- staying true
24 to form he did so in my letter of recommendation,
25 my reference letter, and he would not -- he

1 **B. Curtis**

2 **MR. RASIN:** Just object to the form.

3 **MR. SOLOTOFF:** I'm objecting to the
4 form.

5 **MR. RASIN:** Okay, and you don't -- no
6 speaking objections.

7 A. What I am saying to -- okay -- what
8 I'm saying is that in my opinion from what, where
9 I stood, after looking and seeing what his pattern
10 was, he was being racially discriminatory.

11 Q. Are you saying he didn't want you to
12 hire a black woman?

13 A. That is not what I said. That is not
14 what I said.

15 Q. Now, you said that you thought it was
16 race discrimination because your letter of
17 recommendation was not great, correct?

18 A. It was not properly written. I didn't
19 say it wasn't great. I said it wasn't properly
20 written.

21 Q. Did you suggest revisions to it?

22 A. Yes. And was denied.

23 Q. Were any revisions made?

24 A. After I contacted Mary -- I think
25 Maryann Gattinella, the legal department and I

1 **B. Curtis**

2 believe Pierre was one of the people that was
3 copied on it. I'm not sure.

4 Q. So changes were made to your letter of
5 recommendation?

6 A. Yeah. After I was told it would not
7 be and I'd just have to accept it the way it was.

8 Q. What was wrong with the letter of
9 recommendation?

10 A. It demeaned my title again.

11 Q. Was there anything else wrong with the
12 letter of recommendation?

13 A. Yes. He mentioned that I gave
14 assistance to the admins with my computer
15 expertise, but failed to mention that I not only
16 gave the admins, I trained Samantha Gordon, I
17 trained Marcus Armstead. I was by his desk
18 helping him constantly with, you know, all kinds
19 of editing issues with Word, Power Point, Excel.

20 Vlad, I gave him assistance daily and
21 actually had a gentleman that used to sit outside
22 my desk named Steve, away from my desk, who would
23 laugh sometimes and say why don't you just hold a
24 training class and just, you know, get everybody
25 and just teach them how to do this stuff?

1 **B. Curtis**

2 Q. And you didn't think he was joking?

3 A. No, no, of course not.

4 **MR. RASIN:** Can we mark that, please.

5 **(Curtis Exhibit 5, Termination and**
6 **release agreement dated August 25, 2005,**
7 **marked for identification, as of this date.)**

8 Q. I show you what's been marked as
9 Curtis No. 5, and ask you if you can tell me what
10 that document is?

11 A. This is my termination and release
12 agreement.

13 Q. You were given that document on August
14 25, 2005, correct?

15 A. I'm not sure if it was actually the
16 25th. It could have been a little bit afterwards.

17 Q. Do you know?

18 A. I'm not sure.

19 Q. And you signed this document on
20 September 14, 2005, correct?

21 A. That's correct.

22 Q. Now, that's your signature on --

23 A. Yes, it is.

24 Q. -- page 6, correct?

25 A. That's correct.

1 **B. Curtis**

2 Q. There's other writing on page 6. Is
3 that all your writing, except for Ms. Hunsucker's
4 signature?

5 A. I don't understand.

6 Q. Well, there's some printing and
7 there's a date and there's a Social Security
8 number -- did you fill that in?

9 A. Oh, yes, that's -- yes.

10 Q. And then on the next page on the
11 bottom of that page it's numbered D 00012.

12 Is that your signature?

13 A. Yes, it is.

14 Q. And you put in the date?

15 A. Yes, I did.

16 Q. And you did not revoke this agreement
17 in any way within seven days after you signed it;
18 is that correct?

19 A. No, that's correct.

20 Q. And you received the monies that are
21 specified in the agreement, correct?

22 A. That's correct.

23 Q. And if you look at paragraph 6 of the
24 agreement, you were advised to consult with an
25 attorney about the agreement; is that correct?

1 **B. Curtis**

2 A. That's correct.

3 Q. And you were told to do that because
4 it included a waiver, discharge and general
5 release of all claims as set forth in paragraph
6 10; is that correct?

7 A. That's correct.

8 Q. And you read paragraph 10; is that
9 correct?

10 A. Yes.

11 Q. In fact, you read the whole agreement;
12 is that correct?

13 A. Yes.

14 Q. Did you consult with an attorney?

15 A. No, I didn't.

16 Q. Now, you allege that after October 3,
17 2005 you were retaliated against; is that correct?

18 A. That's correct.

19 Q. Can you tell me how you were
20 retaliated against?

21 A. Well, I don't see them here, but those
22 letters are clear confirmation of the retaliation
23 practice.

24 Also my letter of recommendation, you
25 know, me not being -- Joyce Hunsucker not telling

1 **B. Curtis**

2 me about positions that were coming up or
3 positions that were available, and me finding out
4 through other people.

5 And then when I would let her know
6 that I wanted to apply for the positions, I was
7 being blocked. I had bogus interviews set up, and
8 then was told I was overqualified by the office
9 manager. Office manager blocked me from even
10 getting into the hiring managers who were
11 responsible for the position.

12 My applications, none of my
13 applications were -- you know, the positions I
14 applied for were either left open, I learned
15 later, or filled by a Caucasian.

16 I recently went for a position in
17 Vista Research, and that position was given to a
18 temp that's an entertainer who's a friend of Craig
19 Swagger's.

20 **MR. RASIN:** Could you read the answer
21 back, please.

22 (Record read.)

23 Q. Have you now told me the ways that you
24 think you were retaliated against?

25 A. No, not at all.

1 **B. Curtis**

2 Q. Could you tell me the rest?

3 A. Yes. I reported racial discrimination
4 to Maryann Gattinella, and expressed to her that I
5 believe that I was not getting considered for
6 positions within McGraw-Hill because of it.

7 I told Gattinella that I watched
8 African American people train white people to
9 replace them as their manager with evaluations.

10 And some of these people have left
11 because, you know, it's very demeaning. They've
12 moved on, but they had an exit interview. I
13 didn't have an exit interview.

14 So that's another form of retaliation.
15 They never gave me an exit interview.

16 Joyce Hunsucker would not get back to
17 me on positions that I would discover were opened
18 until after, according to her, they were filled.

19 I later found that the positions were
20 not filled at that time.

21 I went on an interview with Nancy
22 Tomeo and Craig Swagger for four positions
23 actually that were available, to my knowledge, all
24 four were available, and at the time when I sat
25 there one was reporting into a Tom Gillis.

1 **B. Curtis**

2 Q. Could you look at Exhibit 4, please.

3 In your complaint you allege that you
4 applied for seven positions that you were
5 qualified for.

6 A. Yes.

7 Q. And if you look at interrogatory No.
8 14 and your answer to it, are those the seven
9 positions that you applied for for which you were
10 qualified?

11 A. This is after I left? Are you saying
12 after I left?

13 Q. I'm saying after you were advised that
14 your job was being eliminated.

15 A. Okay.

16 This only lists five.

17 Q. Are those the jobs you applied for?

18 A. Applied for others, yes, but these are
19 some of them, yes.

20 Q. Well, I thought you said that your
21 answers to interrogatories were complete.

22 Are you now telling me that you gave
23 me incomplete answers?

24 A. I probably --

25 **MR. SOLOTOFF:** You know, counsel,

1 *B. Curtis*

2 We discussed the others but the one
3 that they wanted to consider me for and they were,
4 like, trying to fill quickly was the Tom Gillis
5 position.

6 They refused to further me into the
7 hiring manager, which was Tom Gillis, so I never
8 got to meet Tom Gillis, and I was told bogusly
9 that they were not available at first. I was told
10 that they were in London, only to find out that
11 they were not in London at the time, they were
12 actually in the office.

13 Then I get a phone call from Nancy
14 Tomeo at home saying she decided that I was
15 overqualified.

16 After she said that I went in to ask
17 her, you know, I start -- I didn't understand why
18 I was not being sent on to the hiring managers,
19 because I'm over -- that made no sense to me. I'm
20 qualified to do the job, so I was qualified.

21 This matter of being overqualified,
22 that's a matter of opinion. Unless you're
23 actually in the position you cannot say whether a
24 person is not going to do good or is going to be
25 board; you can't say that. A lot of people know

1 **B. Curtis**

2 how to, including myself, make their own job
3 meaningful.

4 So I never got to see the hiring
5 managers.

6 I applied for a position and I never
7 got feedback on it, you know, and, you know, they
8 would never tell me whether -- I would just not
9 hear anything, you know. You apply, you should
10 hear something, you know, we're not accepting your
11 application because, you know, we think you're
12 lousy or whatever. I never got any feedback,
13 although some of the positions that I applied for
14 after I left.

15 Also I spoke with Gattinella about my
16 concerns, about not being considered for positions
17 within McGraw-Hill Companies and nothing was done
18 about it, so that's a retaliatory act.

19 **THE WITNESS:** I'm sorry, can I take a
20 break? My head is about to explode.

21 **MR. RASIN:** Sorry, I didn't hear what
22 you said.

23 **THE WITNESS:** I want to take a break.
24 My head is about to explode right now. I've
25 got a headache.

1 **B. Curtis**

2 that is outrageous.

3 **MR. RASIN:** You can say whatever you
4 want. Just object and that's all you have
5 to do.

6 **MR. SOLOTOFF:** My objection is the
7 interrogatory says plaintiff filed --

8 **MR. RASIN:** Don't read the
9 interrogatories. She can read --

10 **MR. SOLOTOFF:** Notice my objection.

11 **MR. RASIN:** It's noticed.

12 **MR. SOLOTOFF:** Thank you.

13 Q. Is this a complete list of the jobs
14 you applied for?

15 A. No. There are others.

16 Q. Why didn't you give me a complete list
17 when you answered the interrogatory?

18 A. You know, there's some things that I
19 applied for like the structured finance, there
20 were a few admin spots that I was applying for.

21 Q. That's here.

22 A. That's one.

23 Q. It says apply for two positions.

24 A. Well, there was four.

25 Q. Why didn't you put that in your

1 *B. Curtis*

2 answers to interrogatories?

3 A. Because -- well, he's saying here that
4 I filed for additional positions.

5 I didn't list everything. Was I
6 supposed to list everything?

7 Q. You told me this morning, you swore
8 that your answers were complete.

9 A. I swore they were correct.

10 Q. You also swore that they were
11 complete.

12 A. I did?

13 Q. Yes.

14 So you're now telling me your answers
15 are incomplete; is that right?

16 A. No. It says here the plaintiff filed
17 for additional positions without acceptance, so
18 it's not -- I just didn't list them all. There
19 was another, a Cliff Griep -- because, you know,
20 they didn't take my application for, like, Cliff
21 Griep, and there was -- I think there was an
22 application for Paul Coughlin. I don't remember
23 the department that he was in.

24 I don't remember where Cliff Griep
25 was. I can't give you information I don't

1 *B. Curtis*

2 remember. If I don't remember where -- what
3 department, the person, I cannot tell you, give
4 you that information. I don't remember what
5 department Cliff Griep was in. I didn't fill an
6 application out.

7 Q. You applied for a job in global
8 licensing and the contracts group, right?

9 A. That's correct.

10 Q. That was an office manager job?

11 A. That's correct.

12 Q. You applied online?

13 A. Yes, I did.

14 Q. Did you get interviewed?

15 A. Yes, I did.

16 Q. Who interviewed you?

17 A. I think Yvonne English.

18 Q. Anybody else interview you?

19 A. Not that I can remember.

20 Q. Did the hiring manager interview you?

21 A. She is the hiring manager.

22 Q. Did you -- did someone in HR interview
23 you?

24 A. I don't recall.

25 Q. Did you get that job?

1 *B. Curtis*

2 A. No, I did not.

3 Q. Who got that job?

4 A. It was a person in that department, in
5 global licensing and contracts.

6 Q. Who was the person?

7 A. I don't remember her name.

8 Q. What was the race of the person?

9 A. She's Latino.

10 Q. You don't remember her name?

11 A. No, I don't.

12 Q. The next job is marketing, graphic
13 designer position?

14 A. Right.

15 Q. Did you apply for that job?

16 A. Yes, I did.

17 Q. Did you get an interview?

18 A. No, I did not.

19 Q. Had you ever worked in any job as a
20 graphic designer?

21 A. No, I have not, but I was actually
22 referred to this person by Vlad himself.

23 Q. But had you ever worked as a graphic
24 designer?

25 A. No, I had not.

1 *B. Curtis*

2 Q. In your entire career you've never
3 worked as a graphic designer?

4 A. No.

5 Q. Do you think you were qualified to be
6 a graphic designer?

7 A. Yes.

8 Q. Why?

9 A. Because I've been doing that at home.

10 Q. You've been doing it professionally at
11 home?

12 A. Like I told you, I do logos, I do
13 business cards, stationery. It's all a part of
14 graphic designing.

15 Q. Do you know who got that job?

16 A. No, I do not.

17 Q. Do you know the race of the person
18 that got that job?

19 A. No, I do not.

20 Q. Which of these jobs was filled by a
21 Caucasian?

22 A. I'm not sure.

23 Q. Do you know if any of these jobs was
24 filled by a Caucasian?

25 A. I couldn't know that after I'm not

1 *B. Curtis*

2 there. When you leave, you don't know.

3 Q. Well, would you look at interrogatory
4 number 50.

5 A. Yes.

6 Q. On what basis are you saying that the
7 jobs were filled by Caucasians?

8 A. On the basis of after I left.

9 Q. I don't understand your answer. On
10 the basis after you left --

11 A. Okay. I wouldn't have -- I wouldn't
12 know that while I was there or while I'm applying
13 for a position until actually I sit down and I can
14 look at evidence of your -- the applications,
15 which shows that -- I really don't know who the
16 people are, but I'm going by the name. It looks
17 like they could be Caucasian or there was no one
18 selected for the position, like, okay, of one,
19 there's a position, I believe, the structured
20 finance position was filled by a Caucasian, I
21 believe.

22 Q. Who was that?

23 A. I don't remember the name.

24 Q. Where did you get this name?

25 A. I believe it's on the application.

1 *B. Curtis*

2 Q. Whose application?

3 A. Their application.

4 Q. When did you review the application of
5 the person who got the job?

6 A. I saw several applications yesterday,
7 as I explained to you.

8 Q. So yesterday was when you realized
9 that it might be a Caucasian who got the job; is
10 that correct?

11 A. Yeah.

12 Q. Then when you answered these
13 interrogatories on December 11th on what basis did
14 you swear that it was Caucasians who got the job?

15 A. On what basis did I swear it was
16 Caucasians that got the job?

17 Q. Right.

18 A. Well, that was the common practice of
19 McGraw-Hill. When I was there I watched black
20 people train white people and later they'd have to
21 report to them and then white people would leave.
22 It happened to me.

23 MR. SOLOTOFF: You mean --

24 Q. Ms. Curtis, until yesterday you had no
25 idea who was hired for these jobs; is that

1 **B. Curtis**

2 correct?

3 A. I didn't know -- I don't know the
4 people, no, I don't know them. I can't say I know
5 them.

6 Q. Ms. Curtis, until yesterday you didn't
7 know who got these seven jobs; is that correct?

8 **MR. SOLOTOFF:** Notice my objection.
9 You're beginning to harass the witness.

10 **MR. RASIN:** I'm not harassing the
11 witness.

12 **MR. SOLOTOFF:** It says, upon
13 information and belief --

14 **MR. RASIN:** You don't have to read
15 me the interrogatory -- it's my deposition,
16 Larry.

17 **MR. SOLOTOFF:** Do not harass the
18 witness.

19 **MR. RASIN:** I'm not harassing the
20 witness.

21 **MR. SOLOTOFF:** It also says or by
22 persons with equal or less qualifications.
23 Why don't you read the whole thing.

24 **MR. RASIN:** Larry, you're coaching
25 her.

1 **B. Curtis**

2 Q. It was yesterday that you learned who
3 were hired for these jobs; is that correct?

4 A. I learned -- I learned that some of
5 them could have been Caucasian by going by the
6 name.

7 Q. Yesterday, correct?

8 A. Yes.

9 Q. And before that you had no idea who
10 got the job; is that correct?

11 A. It was my suspicion.

12 Q. But before yesterday you had no idea
13 who was the successful candidate for these seven
14 jobs; is that correct?

15 MR. SOLOTOFF: Asked and answered.

16 Asked and answered --

17 Q. Is that correct --

18 MR. RASIN: That's enough, Larry.

19 MR. SOLOTOFF: Asked and answered.

20 MR. RASIN: Larry, you're not the
21 judge.

22 MR. SOLOTOFF: Excuse me, we can call
23 the judge.

24 MR. RASIN: If you'd like.

25 MR. SOLOTOFF: Okay, the fact of the

1 **B. Curtis**

2 matter is you're asking her a dozen times.

3 **MR. RASIN:** Enough, Larry --

4 **MR. SOLOTOFF:** Stop --

5 **MR. RASIN:** She's not answering.

6 Q. Until yesterday you had no idea who
7 got these jobs; is that correct?

8 A. No. I suspected -- I'm going to --

9 Q. But did you know the names of anyone
10 who got the job --

11 **MR. SOLOTOFF:** She's answering your
12 questions -- it's all on the record. Let
13 the video show what you're doing --

14 A. I still don't know the names of the
15 people.

16 **MR. RASIN:** The video will show.

17 Q. The executive assistant,
18 administrative position that you put here, did you
19 get interviewed for that job?

20 A. Structured finance?

21 Q. No. It said administrative position
22 as executive assistant.

23 A. And then it says structured finance.

24 Q. I think that's the next job.

25 A. The first one says administrative

1 **B. Curtis**

2 position as an executive assistant structured
3 finance.

4 Q. I think there's a colon between
5 assistant and structured finance, or a semi colon.

6 A. So what is this position for? You
7 have to be clear.

8 Q. This is your answer, not mine.

9 A. No. This is administrative position
10 as an executive assistant structured finance.
11 That's what it is.

12 Q. Did you interview for those jobs?

13 A. Yeah. I applied for two positions. I
14 interviewed for one, but was blocked by Nancy
15 Tomeo, who said I was overqualified.

16 Q. Who did you interview with?

17 A. Nancy Tomeo.

18 Q. And who is she?

19 A. She's the office manager.

20 Q. Do you know who got that job?

21 A. I believe it to be a Caucasian.

22 Q. Do you know who got the job? Do you
23 know the name of the person --

24 A. I don't know the name of the person.

25 Q. Do you know the race of the person who

1 **B. Curtis**

2 got the job?

3 A. I believe it to be Caucasian.

4 Q. Do you know the race of the person who
5 got the job?

6 **MR. SOLOTOFF:** Asked and answered.

7 Q. Do you know it as a fact?

8 A. I believe them to be Caucasian.

9 Q. There is a job called executive
10 managing director office manager.

11 Do you see that job?

12 A. Yes.

13 Q. Did you interview for that job?

14 A. Oh, yeah, that was my job.

15 Q. Whatever job it was, did you interview
16 for it?

17 A. Well, for my job, yeah, sure I did.

18 Q. Are you talking about interviewing for
19 your job in 2002?

20 A. I mean that was my job, yeah, I was an
21 office manager for an executive managing director.

22 Q. Did you interview for a job after you
23 were informed --

24 A. I --

25 Q. Let me finish.

1 **B. Curtis**

2 **MR. SOLOTOFF:** Wait until he finishes
3 the question.

4 Q. Did you interview for a job after you
5 were informed that your job was being eliminated,
6 another job as an office manager for an executive
7 managing director?

8 A. Yes, I did.

9 Q. And did you get interviewed for that
10 job?

11 A. Yes, I did.

12 Q. Who interviewed you?

13 A. Lorraine Muller, I believe -- was it
14 Lorraine Muller -- yeah, I believe it was Lorraine
15 Muller and Doris Agosto.

16 Q. Who is Lorraine Muller?

17 A. She is -- I don't remember what her
18 duties are -- I think she's an office manager.

19 Q. Was she the hiring manager for the
20 job?

21 A. No.

22 Q. Who was the hiring manager for the
23 job?

24 A. Paul Coughlin.

25 Q. Did you interview with Paul Coughlin?

1 *B. Curtis*

2 A. Yes, I did.

3 Q. Did you get that job?

4 A. No, I did not.

5 Q. Do you know who got that job?

6 A. It was a person in the department.

7 Q. Do you know the name of the person
8 that got the job?

9 A. No, I don't know the name.

10 Q. Do you know the race of the person
11 that got the job?

12 A. I believe that to be Latino, but I'm
13 not certain. It could be Caucasian.

14 Q. You applied for a job as assistant
15 compliance officer?

16 A. Correct.

17 Q. Did you get interviewed for that job?

18 A. No, I did not.

19 Q. Had you ever done any compliance work
20 in your career?

21 A. I was doing it in my position.

22 Q. What is compliance work?

23 A. I was doing, I was making sure that my
24 department complied with the rules and regulations
25 given forth by the company, and this was involving

1 **B. Curtis**

2 SEC, all the -- you know, the code of ethics, all
3 kinds of -- I had to make sure everybody signed
4 the code of ethics, so I worked closely with that
5 and I worked closely with the compliance office.

6 And that's why I was interested in
7 that position, because I worked closely with them,
8 so I knew everything that they were doing.

9 Q. Have you ever done a job as a
10 compliance officer?

11 A. No, I have not.

12 Q. Did that job, was one of the
13 requirements of that job to have a four-year
14 degree?

15 A. I don't remember.

16 Q. Who did you work with in compliance?

17 A. I don't remember the people that I
18 worked with.

19 Q. Part of your job working for -- as the
20 office manager was to assure that people complied
21 with the code of business ethics at McGraw-Hill;
22 is that what you --

23 A. That's correct.

24 Q. Did you, was it part of your job to
25 know the code of business ethics at McGraw-Hill?

1 **B. Curtis**

2 things I had to sign.

3 Q. Well, at the time when you were asked
4 to read and sign the code of business ethics, did
5 you do so?

6 A. Yes, I did.

7 Q. Did you take that seriously?

8 A. Oh, yes.

9 Q. And you were required to read and sign
10 that code of business ethics every year; is that
11 correct?

12 A. That's correct.

13 Q. And every year when you read and
14 signed that code of business ethics, did you take
15 it seriously?

16 A. Yes, I did.

17 Q. And were you truthful in your
18 affirmation each year as to that code of business
19 ethics?

20 A. Yes, I was.

21 Q. Now, did you apply for any other jobs
22 at McGraw-Hill other than the ones that are listed
23 in your answer to interrogatory No. 14?

24 A. Yes, I applied for a position with
25 Cliff Griep that's not listed here and I don't

1 **B. Curtis**

2 Hunsucker about it because I found out that it had
3 opened up.

4 Q. And the job for Mr. Held, what job was
5 that?

6 A. I believe that was an IT position.

7 Q. What was the position?

8 A. It was an administrative executive
9 assistant or something like that.

10 Q. Did you apply for that job online?

11 A. Yes, I did.

12 Q. When did you apply for that job?

13 A. I think it was around November, it
14 could have been, November of 2005 maybe, November,
15 December.

16 Q. Did you get interviewed for that job?

17 A. No, I did not.

18 Q. Who was the HR rep or the hiring HR
19 person for that job?

20 A. I don't remember if it was Valerio or
21 Mariano. I'm not certain.

22 Q. Did you interview for that job?

23 A. No, I did not.

24 Q. Do you know who got that job?

25 A. I don't know the person.

1 *B. Curtis*

2 (Witness reviews document.)

3 A. Okay, Vladimir Stadnyk. Joyce
4 Hunsucker.

5 People who would not take care of my
6 concerns of race discrimination. Gail Whelen.
7 Maryann Gattinella, afterwards didn't give me
8 help.

9 Q. Are those the people that you claim
10 discriminated against you?

11 A. Yes.

12 Q. And you've already testified today as
13 to how they discriminated against you; is that
14 correct?

15 A. I believe I have.

16 Q. Did you ever hear anyone at Standard &
17 Poor's or McGraw-Hill make a racial epithet?

18 A. Yes.

19 Q. Who?

20 A. Frank Cicotta.

21 Q. What did he say?

22 A. He said that -- he was telling a
23 colleague of his that the department, his
24 department was the ghetto.

25 Q. What department is that?